IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 1635 of 2007(T)

PETITIONER:

INDIRA T.M. (LPSA),
A.M.L.P. SCHOOL, THOZHUVANNUR,MALAPPURAM DISTRICT.

BY ADV. SRI.R.K.MURALEEDHARAN

RESPONDENTS:

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1. THE DISTRICT EDUCATIONAL OFFICER, TIRUR.

2. THE ASSISTANT EDUCATIONAL OFFICER,
KUTTIPPURAM.

3. HARIS M.P. (LPSA),
THOZHUVANNUR A.M.L.P. SCHOOL, P.O. THOZHUVANNUR,
KUTTIPPURAM.

4. THE MANAGER,
A.M.L.P. SCHOOL, THOZHUVANNUR, KUTTIPPURAM,
MALAPPURAM DISTRICT.

BY ADV. SRI.T.K.SAIDALIKUTTY
SRI.P.A.MOHAMMED ASHROF
SRI.LAL K.JOSEPH
SRI.A.A.ZIYAD RAHMAN
GOVERNMENT PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 1635/07

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE APPOINTMENT ORDER DT. 1.5.06

EXT.P2. COPY OF THE ORDER OF THE 2ND RESPONDENT NO.E/3033/06 DT. 27.7.06

EXT.P3. COPY OF THE ORDER NO.B4/7191/06/K.Dis. DT. 12.12.06 OF THE 1ST RESPONDENT

EXT.P4. COPY OF THE CERTIFICATE ISSUED BY RASHTRIYA SANSKRIT SANSTHAN

EXT.P5. COPY OF THE CERTIFICATE ISSUED BY RASHTRIYA SANSKRIT SANSTHAN

EXT.P6. COPY OF THE CERTIFICATE ISSUED BY RASHTRIYA SANSKRIT SANSTHAN

EXT.P7. COPY OF THE G.O.(Ms) 92/88/G.Edn. DT. 2.5.1978

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 1635 OF 2007

Dated this the 3rd day of July, 2007

J U D G M E N T

Learned counsel for respondent No.3 submits that the issue is squarely covered in favour of the petitioner in view of the judgment of the Full Bench of this Court in ***S.N.D.P. L.P.School v. Roy*** [2006 (4) KLT 497].

Therefore, the writ petition is disposed of with a direction to respondent No.4 to send the proposal for appointment of the petitioner to the controlling officer within 10 days from the date of receipt of a copy of this judgment. Respondent No.2 shall, on receipt of the proposal, approve the appointment of the petitioner within two weeks from the date of receipt thereof. Respondent No.3, who has been holding the post of Headmaster with effect from June 1, 2006, shall however be entitled to get the special allowance, if any, attached to that post for the period during which he had worked in that capacity.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007